



THE MOUNT SINAI MEDICAL CENTER

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September 7, 1982

Mr. Tom Hall
OSHA, Division of Consumer Affairs
Room N-3635
U.S. Department of Labor
200 Constitution Ave., N.W.
Washington, D.C. 20210

Re: Hazard Communication: proposed rule

Dear Mr. Hall:

During my testimony on OSHA's proposed rule on "Hazard Communication", I was asked to submit information for the record. The information requested is attached to this letter. Please enter the letter and its attachment with the Post-Hearing Comments for the proposed rule.

Yours truly,

Myra Karstadt, Ph.D.
Assistant Professor

MK:jbr

Enc.

Information to be appended to testimony of Myra Karstadt:
Post Hearing Comments

I was asked to describe the steps I take to answer questions regarding chemical toxicity, submitted to the Environmental Cancer Information Center (ECIC). I serve as Executive Director of the Center.

The request for this information was made in the context of discussion of the vague and inadequate "criteria" set out in the Hazard Communication proposed rule, for determination of chemical toxicity.

Chemical manufacturers and processors and any other individuals or entities responsible for identification of toxic chemicals under the proposed rule should be subject to clearly specified procedures for toxicity determinations. The guidelines in the January 1981 Hazards Identification proposed rule represent a good starting point for clear definition of steps to be taken in determination of toxicity.

The ECIC is not an organization subject to the Hazard Communication proposed rule. Therefore, the strictly enunciated procedures which should be applied to chemical manufacturers and processors and others similarly situated are not applicable to the ECIC. The procedures I use to answer questions are, therefore, of no direct consequence to the hearings and should not be taken in any way to justify application of the so-called "performance" criteria for toxicity determination set out in the Hazard Communication proposed rule.

Strict and complete definition of procedures to be used for toxicity determinations is imperative if there is to be any assurance, through review by health professionals of toxicity determinations, that such determinations will be adequate. Provisions must be made for retention of all data pertinent to the toxicity determination, and free access

to those data by health professionals. "Health professionals" could include health professionals retained as consultants by labor organizations, independent health professionals conducting research, and others as appropriate.

Finally, as regards operations of the Environmental Cancer Information Center, the criterion which is always uppermost in ECIC toxicity review is identification and use of the best data available to provide an objective and scientifically accurate response to the inquiry received by the ECIC. Procedures used may involve accessing computerized data bases (as, Medline), direct reference to review volumes or articles, conversations with scientists expert in the area in question etc. ECIC maintains flexibility in the procedures used to assess toxicity, but very complete written records are kept wherever that would seem appropriate, especially for controversial topics or for any matter where reference materials are not obvious and easily obtained by anyone with reasonable expertise in the field.